

AUG 08 2006

**DOUGHERTY CLEMENTS****FAX Transmission**Tel: 704/366-6642  
Fax: 704/366-9744

Date: August 8, 2006  
To: Examiner Kenneth R. Coulter  
FAX No.: (571) 273-8300  
From: Christopher L. Bernard  
No. of Pages: (16) (including cover page)  
Re: Amendment and Response to Non-Final Office Action - Supplemental  
Our Ref. No.: Attorney Docket No. 10.0815

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Examiner Coulter,

As previously discussed, attached please find AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION – SUPPLEMENTAL related to the above-referenced application. If you have any question, please give me a call.

Respectfully,



Christopher L. Bernard

CLB/bcb

Attachment: Amendment and Response to Non-Final Office Action-Supplemental

AUG 08 2006

## EXPRESS MAIL CERTIFICATE

Express Mail No.: EV 907434902 US  
Date of Deposit: August 8, 2006  
Type of Document(s): Transmittal Form (PTO/SB/21)  
Amendment and Response to Non-Final Office Action –  
Supplemental (14 pages)  
Postcard Filing Receipt  
Application No.: 09/838,320  
Filing Date: April 19, 2001  
Applicant(s): Peter B. EVERDELL et al.  
Title: NETWORK DEVICE INCLUDING DEDICATED  
RESOURCES CONTROL PLANE  
Examiner: Kenneth R. Coulter  
Art Unit: 2141  
Attorney Docket No.: 10.0815

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to:  
**Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria,  
Virginia 22313-1450 USA.**

Barbara C. Brown  
Barbara C. Brown  
North Carolina State Bar/Certified Paralegal

AUG 08 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0551-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>		Application Number	09/838,320
		Filing Date	April 19, 2001
		First Named Inventor	Peter B. EVERDELL, et al.
		Art Unit	2141
		Examiner Name	Kenneth R. Coulter
Total Number of Pages in This Submission	16	Attorney Docket Number	10.0815

ENCLOSURES (Check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input checked="" type="checkbox"/> Supplemental - Amendment/Reply (14 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD		
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Remarks		
<input type="checkbox"/> Express Abandonment Request	Return Receipt Postcard Express Mail Certificate		
<input type="checkbox"/> Information Disclosure Statement			
<input type="checkbox"/> Certified Copy of Priority Document(s)			
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	DOUGHERTY CLEMENTS		
Signature			
Printed name	Christopher L. Bernard		
Date	August 8, 2006	Reg. No.	48,234

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Barbara C. Brown	Date	August 8, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No.: 10.0815

AUG 08 2006

Express Mail No.: EV 907434902 US  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s)	) Peter B. EVERDELL et al.
Application No.	) 09/838,320
Filing Date	) April 19, 2001
Title	) NETWORK DEVICE INCLUDING DEDICATED RESOURCES CONTROL PLANE
Examiner	) Kenneth R. Coulter
Art Unit	) 2141

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450 USA

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**AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION –  
SUPPLEMENTAL**

Dear Sir/Madam:

In response to the non-final Office Action mailed June 2, 2006, allowing Claims 1-14, 16-20, 22-28, 30, and 32-35 of the above-referenced Application, in which Claims 1-14, 16-20, 22-28, 30, and 32-35 are pending, Applicants respectfully request that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicants submit that the Application is now in condition for allowance, specifically with regard to outstanding formal matters, and respectfully request such action.